



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) Eleventh Account and Report of Co-Conservators and (2) Petition for Allowance of Fees to Co-Conservators and Attorney (Prob. C. 2620)

Age: 56 DOB: 5/3/1955	SYLVIA GONZALES , sister, and GUADALUPE PENA , mother, are Co-Conservators.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of Notice of Hearing on Conservatee Rosa Linda Larssen at least 15 days prior to the hearing per Probate Code §2621. 2. Petitioner explains that one of the conservatorship estate accounts was turned over by the bank to the State Controller for inactivity between 2002 and 2004, and includes \$23,235.35 as property on hand although it is not yet recovered. The Court may require clarification regarding the time it has taken (approx. 8 years) to recover funds, with reference to interest that would have accrued had it been recovered earlier. 3. The Conservatee owns the house and lives there with her mother. Her adult son also lived there during part of this account period. The account indicates that Conservatee pays all household expenses, including water, sewer, garbage, power, phone, gardening, groceries, etc. Need clarification: Do the other household members contribute to household expenses? 4. Need Order.
	Account period: 5-1-08 through 4-30-10	
	Accounting: \$232,943.72	
	Beginning POH: \$191,840.99	
	Ending POH: \$188,621.57	
	(\$39,060.25 is cash, \$35,113.55 is blocked)	
	Current bond: \$42,000.00 (ok)	
	Conservator Sylvia Gonzales: \$1,800.00 (120 hours @ \$15/hr)	
	Conservator Guadalupe Pena: Not requested	
	Attorney: \$2,000.00 (per local rule)	
	Petitioners pray for an order:	
	1. Approving, allowing and settling the account; and	
	2. Authorizing payment of the conservator's and attorney's fees and commissions.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	X	
<input type="checkbox"/> Aff.Mail	X	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order	X	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 1-4-12
		Updates:
		Recommendation:
		File 1 - Larssen

Age: 41	WESTAMERICA BANK (Trust Officer: Catherine S. Johnson), Successor	NEEDS/PROBLEMS/ COMMENTS: <u>SEE PAGE 2</u>
DOB: 10-27-70	Conservator of the Estate, is Petitioner. (County Bank was appointed 9-2-08 and acted until acquired by Westamerica.)	
	EDWINA WOOLARD , Mother, continues to serve as Conservator of the Person (appointed 11-17-88).	
	Account period: 9-1-09 through 8-31-11	
	Accounting: \$ 1,192,968.31	
	Beginning POH: \$ 941,405.86	
	Ending POH: \$ 842,580.03 (\$27,151.37 is cash)	
	Conservator of the Person Edwina Woolard: \$1,800.00 (120 hours @ \$15/hr)	
	Family Law Attorneys Lerandean & Lerandean, LLP: \$12,862.50 (Balance due for legal services in connection with Family Law case # 09CEFL06280 involving a domestic violence restraining order and child custody and visitation involving Conservatee's youngest child Samantha (3). There is a current restraining order protecting Conservatee from her former live-in boyfriend and father of Samantha that expires 11-4-12. Per Declaration of Attorney Paul Lerandean, fees totaling \$20,242.50 were incurred, and \$12,862.50 remain unpaid. \$7,380.00 was authorized at the last accounting. The declaration describes the legal services rendered, and describes that the firm spent more time than usual, but this was necessary and reasonable due to the Conservatee's limited mental capacities and the nature of the proceedings.)	
	Probate Attorneys Baker Manock & Jensen, PC: \$39,130.50, plus costs of \$750.00 (Court filing fees) Declaration of Attorney Jeffrey Jaech describes that until a life coach was hired for Conservatee, their office, Specifically paralegal Sally Ladd, was required to deal with a "whole assortment of problems" of Conservatee and her children. Conservatee often refused to communicate with her mother (Conservator of the Person) and therefore, contacted the law firm for non-legal problems.	
	Petitioner expressed concern regarding Conservatee's income vs. expenditures and has made changes that will result in significant savings, including:	
	<ul style="list-style-type: none"> • Instead of a nanny at a total cost of \$54,717.86 for 11 months, Conservatee's youngest child is now in pre-school (tuition \$5,800.00/yr) • Instead of a personal housecleaner at \$25/hr working up to 2 days/wk, Conservator hired a cleaning service to come once a week @ \$175.00/wk • Due to serious Conservatee's difficulties in coping with day-to-day problems, such as plumbing issues, etc., as well as budgeting her allowance, she was contacting the law firm for many non-legal issues, incurring fees. Conservator hired a Life Coach, Michelle Biggs, who meets with Conservatee weekly to assist with various tasks and issues. Conservatee now calls Ms. Biggs when she needs assistance with everyday issues. 	
	SEE PAGE 2	
✓ Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail	W	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
2620(c)	X	
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 1-5-12
		Updates:
		Recommendation:
		File 2 - Hood

SUMMARY (Continued):

Conservator of the Estate Westamerica Bank: \$17,870.03 (1% of the average market value of the estate) Declaration of Catherin S. Johnson, Assistant Vice President and Trust Officer, describes that the Trust Officer monitors the investment strategy and allocation of assets in light of objectives and cash needs of the conservatorship. The declaration states the bank reviews and approves proposed trades presented by Wright Investors' Services and initiates trades for mutual funds. In addition, the bank is responsible for the Conservatee's tax returns and engaged a CPA to prepare the returns. The bank spends time gathering and sending the information to the CPA, and later reviewing, signing and mailing the returns, and also responds to inquiries from IRS or FTB, or contacts the CPA to assist in response. The bank also engaged a CPA to review and prepare accountings to Court requirements.

The bank also provides quarterly and annual statements to the Conservator of the Person, and maintains a computer system that provides daily investment cash positions for each account and lists daily transactions. The bank reviews each report to determine appropriate action, if any. The bank's trust operations unit also monitors and processes routine and non-routine disbursements.

Petitioner prays for an Order:

1. Approving, allowing and settling the second account and report of the conservatorship as filed;
2. Authorizing compensation to Conservator of the Person Edwina Woolard of \$1,800.00;
3. Authorizing compensation to Conservator of the Estate Westamerica Bank of \$17,870.03;
4. Authorizing compensation to Baker Manock & Jensen, PC, of \$39,130.50;
5. Authorizing reimbursement of costs to Baker Manock & Jensen, PC, of \$750.00;
6. Authorizing payment to Lerandean and Lerandean of \$12,862.50; and
7. Such further orders as the Court considers proper.

NEEDS/PROBLEMS/COMMENTS:

1. **Need account statements per Probate Code §2620(c).**
2. **The Court may require further information or clarification regarding the following expenses related to the residence:**
 - Earthquake insurance (\$281.00 on 12-2-09, etc.)
 - Appraisal (\$375.00 on 7-20-10)
 - "Annual Inspection" (\$250.00 on 9-23-10)

For example: Is there a reason earthquake insurance on this Fresno residence is necessary? Was there a transaction with the home in 2010 that required appraisal and inspection? The home does not appear to be encumbered. Is the inspection annual? If so, what is the purpose?

3. **Examiner notes that certain items were purchased, but not included as property on hand belonging to the estate. Although Conservatee appears to own various items of personal property, such as furniture, etc., this type of item does not appear to have been included historically in this particular conservatorship estate.**

Because this Examiner is not entirely familiar with the extensive history of this conservatorship estate, the Court may require brief explanation. For example, the Court may require clarification regarding why these "big-ticket" items are not considered property on hand:

- Dishwasher \$726.91 on 3-31-10 and 4-12-10
- Line items referencing Alltrade Construction for tear-down and relocate existing pool and installation of Jungle Gym totaling approx. \$10,000.00 between 5-4-10 and 6-7-10.
- Refrigerator \$1,376.65 on 8-31-11
- Washer \$392.81 on 1-27-11

(1) First and Final Report of Status of Administration on Waiver of Accounting and Petition for Settlement Thereof; (2) for Allowance of Statutory Attorney's Compensation; (3) for Allowance of Extraordinary Compensation for Reimbursement of Costs Advanced; and (4) for Final Distribution (Prob. C. 11600 et seq)

DOD: 7/1/2008		ANNA FERRUA-ALMEIDA,	NEEDS/PROBLEMS/COMMENTS: 1. Need Property on Hand schedule. California Rules of Court, Rule 7.550(b)(4) and Local Rule 7.13. (Note: Petition does include the property on hand <i>after</i> deducting attorney fees and costs however the property on hand should be listed as of the filing of the petition without deductions for attorney fees and costs.)
		Executor, is petitioner.	
		Accounting is waived.	
Cont. from			
	Aff.Sub.Wit.	I & A - \$717,194.80	
✓	Verified	POH - \$516,930.73	
✓	Inventory	Executor - waives	
✓	PTC	Attorney - \$13,940.52	
✓	Not.Cred.	(statutory)	
✓	Notice of Hrg	Attorney X/O- \$5,104.11 (per itemization and declaration for the successful defense of a Will contest)	
✓	Aff.Mail	Costs - \$1,887.69 (filing fees, certified copies, Probate Referee, publication)	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters	Distribution, pursuant to Decedent's Will, is to:	
	Duties/Supp	Anna Ferrua-Almeida - \$48,976.91 and 1/3 interest in real property.	
	Objections	Domenico Ferrua - \$48,976.91 and 1/3 interest in real property.	
	Video Receipt	Samantha Giles - \$48,976.91 and 1/3 interest in real property.	
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		

Reviewed by: KT
Reviewed on: 1/5/12
Updates:
Recommendation:
File 3 - Ferrua

Age: 16 years DOB: 9/14/1995		<p>GARY SCHAFFER and SHANA SCHAFFER, paternal uncle and aunt/Guardians, are petitioners.</p> <p>The Court file contains the following information:</p> <ul style="list-style-type: none"> The guardianship estate receives approximately \$2,000.00 per month income from Worker's Compensation Appeals Board. The funds are placed into a blocked account. Guardians receive \$1,020.00 from Social Security for the minor's benefit. This money is paid directly to the guardians for the minor's support and is not accounted in the court accountings. The Guardians are allowed to withdraw up to \$280.00 per month from the blocked account for services provided by Dr. Robert D. Wells. The Guardians are allowed to withdraw \$410 per month for Cullinan Education Center. <p>Petitioners state they have become aware that Kaleb was entitled to Survivor Income based on a life insurance policy through Standard Insurance Company held by North Central Fire District for Kaleb's deceased father. Kaleb is entitled to survivor income in the sum of \$1,247.75 per month. The last payment was made in January 2009, thus, Kaleb would be entitled to a total amount of \$30,432.50 and thereafter monthly payments of \$1,247.75 until he is age 19 or age 23 as long as he remains a full time student. Standard Insurance Company will not release the funds without a Court Order because the Letters specify "guardian is not authorized to take possession of money or any other property without a court order."</p> <p>Petitioners therefore request the Court order the funds currently held from Standard Insurance Company, be deposited into a blocked account at WestAmerica Bank. (Note: This request was approved at the 11/16/11 hearing and an order has been signed.)</p> <p style="text-align: center;"><i>Please see additional page</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11/16/11. Minute Order states the Court approves the request to increase the blocked account by the amount of the Standard Insurance. Additionally, the Court approved the withdrawal of \$4,930.00. <i>The remaining issues (attorney fees) were continued.</i></p> <p>1. Attorney fee statement for attorney Brian Pinion includes a bill dated February 2, 2010 showing a past due balance of \$2,082.27 and a payment of \$1,642.53. Mr. Pinion was allowed fees pursuant to Court order dated 8/13/10 totaling \$8,875.00 for services rendered through 12/10/09 and attachment 6E shows was paid on 8/17/10. The first entry on the February 2, 2010 statement is for 1/21/10. Need billing statements for 12/11/09 through 1/21/10 showing what services were provided totaling \$442.74 (the difference between the past due amount of \$2,082.27 and the payment of \$1,642.53).</p> <p style="text-align: center;"><i>Please see additional page</i></p>
Cont. from 111611			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W/		
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Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Petitioner state as of this year, Kaleb is no longer in need of tutoring from Cullinan Education Center and has stopped attending.

Current balance of the blocked account is \$50,059.09

Supplemental and Revised Declaration of Nancy Stegall in Support of Attorney Fees Request filed on 1/3/12.

Petitioners request authority to withdraw funds from the blocked account as follows:

- 1. \$4,930.00** for bedroom furniture, school clothes and personal expenses for minor. Petitioners state the minor has recently moved into his own room in their home and does not have any bedroom furniture. Kaleb has also outgrown his entire wardrobe and will need to purchase all new clothes. Kaleb has shown an interest in weight lifting and body building and would like to pursue this hobby. ***(Note: This request was approved at the 11/16/11 hearing and an order has been signed.)***
- 2. \$2,895.00** to Attorney Brian Pinion for attorney fees in connection with the guardianship.
- 3. \$2,066.00** to Attorney Nancy Stegall for attorney fees for the preparation of this petition.

Additional NEEDS/PROBLEMS/COMMENTS:

- 2. Attorney fee statement for attorney Brian Pinion includes \$197.15 in interest on unpaid balances. Probate Code §2647 states, “No attorney fees may be paid from the estate of the ward or conservatee without prior court order. The estate of the ward or conservatee is not obligated to pay attorney fees established by any engagement agreement of other contract until it has been approved by the court.” Therefore, it appears that the attorney should not be allowed interest on the unpaid attorney fees.**
- 3. Need Receipt for Blocked Account (Order to Deposit Money into Blocked Account was signed on 12/1/11.)**

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees (Prob. C. 9202, 10800, 10810, 10951, 11600)

DOD: 10/11/08		PUBLIC ADMINISTRATOR,	NEEDS/PROBLEMS/COMMENTS:
		Administrator with Will Annexed, is petitioner.	<p>1. Petition indicates the decedent's ½ interest in real property valued at \$118,000.00 was foreclosed upon. <i>Estate of Stein (1968) 267 Cal. App. 2, 631</i> found when calculating the statutory fees for estates where there was foreclosed property the loss is the difference between the inventory and appraisal value and the encumbrances on the property. Petition did not include information regarding the encumbrances on the property therefore examiner is unable to verify that the statutory fees and commissions are correct.</p>
		Account period: 2/17/09 – 6/30/11	
Cont. from		Accounting - \$139,225.00	
✓	Aff.Sub.Wit.	Beginning POH - \$129,635.00	
✓	Verified	Ending POH - \$ 6,422.40	
✓	Inventory	Administrator - \$5,041.00 (statutory)	
✓	PTC	Administrator X/O - \$1,127.85 (per Local Rule for sale of personal property and preparation of tax returns)	
✓	Not.Cred.	Attorney - \$5,041.00 (statutory)	
✓	Notice of Hrg	Court fees - \$15.50 (certified copies)	
✓	Aff.Mail	Bond Fee - \$812.28 (o.k.)	
	Aff.Pub.	Closing - \$1,000.00	
	Sp.Ntc.	Petitioner states that the estate is insolvent. After payment of fees and commissions there will be no estate left to pay creditors or heirs.	
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed by: KT
			Reviewed on: 1/5/12
			Updates:
			Recommendation:
			File 5 - Coker

JAMES L. SACCHERI is petitioner.

NEEDS/PROBLEMS/COMMENTS:

Continued from 11/2/11. As of 1/5/11 the following issues remain:

1. Accounting does not comply with Probate Code §16063 and §1060 et seq.
2. Petition does not include the names and addresses of those entitled to notice. Probate Code §17201.
3. Need Notice of Hearing. Probate Code §17203.
4. Need proof of service of the Notice of Hearing on all interested parties. Probate Code §17203.
5. Need order.

Cont. from	
Aff.Sub.Wit.	
Verified	
Inventory	
PTC	
Not.Cred.	
Notice of Hrg	
Aff.Mail	
Aff.Pub.	
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Pers.Serv.	
Conf. Screen	
Letters	
Duties/Supp	
Objections	
Video Receipt	
CI Report	
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Order	
Aff. Posting	
Status Rpt	
UCCJEA	
Citation	
FTB Notice	

Reviewed by: KT

Reviewed on: 1/5/12

Updates:

Recommendation:

File 8 – Marando

Review of Bond Issue and Inventory and Appraisal

		<p>BRUCE BICKEL, a licensed fiduciary, was appointed Successor Trustee of the Trust on 8-10-11 with bond of \$3,600,000.00.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
		<p>The Court set this status hearing for review of the bond and to determine its adequacy pursuant to an Inventory and Appraisal to be filed prior to the hearing.</p>	<p>1. Bond of \$3,600,000.00 was filed 9-19-11; however, as of 1-4-12, there has been no documentation filed regarding adequacy of the bond.</p>
		<p>Bond of \$3,600,000.00 was filed 9-19-11.</p>	<p>Therefore, need Inventory and Appraisal or other sufficient documentation (declaration, etc).</p>
			<p><u>Minute Order 11-8-11</u>: The Court continues the matter to 1-18-12 and set further status hearing for 3-7-12 for the filing of the first account. The Court advises counsel that if the bond amount turns out to be adequate and the inventory and appraisal is filed by 1-18-12, the matter can be taken off calendar.</p>
			<p>Reviewed by: skc</p>
			<p>Reviewed on: 1-4-12</p>
			<p>Updates:</p>
			<p>Recommendation:</p>
			<p>File 10 - Johnson</p>
Cont. from 110811			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			
Citation			
FTB Notice			

Petition to Establish Child Care and Visitation of the Minor Child Gabriel Villa

<p>Gabriel Villa Age: 7 DOB: 8-4-04</p>	<p>SYLVIA QUINTANA LOPEZ, Maternal Grandmother and Guardian since 10-2-06, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
	<p>Mother: Corina Villa Maternal Grandfather: Ramon Adame Father and Paternal Grandparents: Unknown</p>	<p><u>Minute Order 10-26-11</u>: The Court modifies its previous order to include that Manuel Villa, Jr. may provide child care in addition to Stephanie Leyva. The Court further orders that mother call the guardian regarding visitation the Thursday before her visit and guardian accepted her calls. All prior orders not modified remain in full force and effect. The Court orders that a court investigator conduct a further investigation of the parties. The matter is continued to 1-18-12.</p>
<p>Cont. from 102611</p>	<p>Petitioner states there have been changes in the needs of the child and it would be to his benefit to modify the orders.</p>	<p><u>Court Investigator Jo Ann Morris to provide supplemental report.</u></p>
<p>Aff.Sub.Wit.</p>		
<p>✓ Verified</p>	<p>Regarding visits with Maternal Great-Grandmother Mary Serafin: The Court previously restricted visits with Mary Serafin. Petitioner requests the restrictions be removed and the child be allowed to visit unrestricted and that she be permitted to provide child care if needed. Mary has been a positive influence in Gabriel’s life and has been a Fresno County Foster Grandmother for about 10 years. Gabriel is close with her and they enjoy spending time together. Gabriel’s Great-Aunt Alice Silvas also lives with Mary and Petitioner requests that no restrictions be placed on Gabriel’s ability to visit and spend time with either of them.</p>	
<p>Inventory</p>		
<p>PTC</p>		
<p>Not.Cred.</p>		
<p>✓ Notice of Hrg</p>		
<p>✓ Aff.Mail</p>	<p>W</p>	
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>✓ Pers.Serv.</p>	<p>W</p>	
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>	<p>Regarding child-care: The Court previously ordered that Stephanie Leyva be the <u>only</u> child care provider. Ms. Leyva now has four small children of her own and is unable to care for Gabriel. Petitioner requests that her son Manuel Villa, Jr., be allowed to provide child care at Petitioner’s residence. He is 25 years old and has lived with Petitioner since she was appointed Guardian. CPS has performed a background investigation and he has been given clearance to be left alone with Gabriel.</p> <p>Regarding Mother’s visitation: The Court previously ordered that Mother’s boyfriend Frankie Padilla, who is the person specifically found to have caused bodily harm and emotional distress and trauma to Gabriel and was ordered to not be around him at any time, not be present around the minor at any time. Petitioner states that for the last several months, Mother has caused internal problems with family members, has stopped visiting regularly, and is expecting another child with Frankie Padilla. Gabriel is still traumatized by just the mention of his name, and Mother intends to continue her relationship with him and is opposition of the court’s order regarding him. Petitioner asks that visits with Mother be terminated until further review and that the stay-away order remain in full force and effect.</p> <p>Petitioner states that Gabriel’s only real family are those that are currently being restricted from being involved in his life.</p>	<p>Reviewed by: skc Reviewed on: 1-4-12 Updates: Recommendation: File 13 - Villa</p>

DOD: 2/19/11		<p>SHANISE JOHNSON, Conservator, is petitioner.</p> <p>Account period: 8/17/10 – 2/19/11</p> <p>Accounting - ?????</p> <p>Beginning POH - \$141,411.11</p> <p>Ending POH - \$137,988.35</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/20/11. As of 1/5/12 the following issues remain:</p> <p>This is actually the First Amended Second and Final Account. Need Second Amended Second and Final Account based on but not limited to the following:</p> <ol style="list-style-type: none"> Accounting does not balance. Total charges and total credits must be the same amount for the account to balance. Summary of account listed in the narrative of the petition is not the same as the summary of account on the schedules attached to the petition. It appears that the ending cash on hand is the balance of the bank account on 2/28/10 however the account period ends on 2/19/10. Therefore the balance of cash on hand should be the balance on 2/19/10. Need Order.
Cont. from 102011			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail	N/A		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓ 2620(c)			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 1/5/12	
		Updates:	
		Recommendation:	
		File 14A - Earl	

[Subsequent] Final Account Current and Report of Conservator

Age: 2/19/11		<p>SHANISE JOHNSON, Conservator, is petitioner.</p> <p>Account period: 2/20/11 – 5/31/11</p> <p>Accounting - ?????</p> <p>Beginning POH - \$137,988.35</p> <p>Ending POH - \$135,343.72</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/20/11. As of 1/5/12 the following issues remain:</p> <p>This is actually the Subsequent Second and Final Account. Need Amended Subsequent Second and Final Account based on but not limited to the following:</p> <ol style="list-style-type: none"> Accounting does not balance. Total charges and total credits must be the same amount for the account to balance. Summary of account listed in the narrative of the petition is not the same as the summary of account on the schedules attached to the petition. Need change in asset schedule showing the cemetery plot as no longer an asset of the estate. Petition does not state the disposition of the remaining assets of the estate. Need Order. 	
Cont. from 102011				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			N/A
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	2620(c)			
<input type="checkbox"/>	Order	X		
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: KT</p> <p>Reviewed on: 10/17/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14B – Earl</p>				

Petition for Order Approving Modification of Trust Under Probate Code Sections 15403 and 15409 [Probate Code 17200(b)(10)(13)]

		<p>GEORGIANNE H. ERROTABERE, Trustee and Beneficiary, and Beneficiaries DANIEL DOMINGO ERROTABERE, JEAN EMILE ERROTABERE, and REMI PHILLIP ERROTABERE, are Petitioners.</p> <p>Petitioners state the Jean Errotabere Testamentary Trust was created by court order 4-29-1980 and amended by court order dated 6-6-1989.</p> <p>Petitioner Georgianne H. Errotabere is the original and present trustee, and wishes to resign. The two named successor trustees, Donald Yraceburu and Wells Fargo Bank (successor to Crocker Bank), both indicate that they would decline to serve if appointed, and have both signed declinations (Exhibits B and C).</p> <p>The trust does not provide mechanism for further appointment. Petitioners seek to modify the trust so that upon the resignation of Georgianne H. Errotabere, the three sons of the trustor and Georgianne H. Errotabere, Petitioners and Beneficiaries Daniel Errotabere, Jean Errotabere and Remi Errotabere are appointed successor co-trustees, with the survivors or survivor thereof serving as co-trustees or sole trustee. Upon the death or resignation of the proposed sole successor trustee, a successor trustee may be chose by the unanimous written consent of the adult beneficiaries and the parents or guardians of minor beneficiaries without court approval.</p> <p>No bond would be required of any trustee or successor trustee named in or appointed pursuant to the terms of the trust. No other trust provisions would be modified.</p> <p>All present beneficiaries and all adult contingent beneficiaries consent to the modification pursuant to Probate Code §15403 and waive notice of hearing.</p> <p>Petitioners also refer to Probate Code §15409 with respect to modification based on changed circumstances, and state that the trustor could not have known over 30 years ago that the two successor trustees would decline to serve.</p> <p>Petitioners state that because the present trustee wishes to resign, modification of the trust is necessary to provide mechanism for appointment of successor trustees that is valid and not subject to question, challenge or delay.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Notice was not served on the minor grandchildren of the trustor (contingent beneficiaries) pursuant to Probate Code §17203 and Cal. Rule of Court 7.51(d).</p> <p>Petitioners state that the interests of the minor contingent beneficiaries are identical to those of the present beneficiaries; therefore, they are adequately represented; however, notice (30 days) is still required per the code.</p> <p><i>Note: Examiner notes that the adult grandchildren signed consent to this modification and waivers of notice of this hearing; however, their notice was sent "C/O" their respective parents. Because they each waived notice, this is not an issue; however, for future reference, direct notice is required (not "C/O") per Cal. Rule of Court 7.51(a).</i></p> <p>2. Probate Code §15602 requires an individual who is not named as a trustee in the trust to give a bond to secure performance, unless excused for compelling circumstances.</p> <p>Petitioners request to modify the trust under §15403 to name the proposed successor trustees without bond rather than appoint pursuant to §15660.</p> <p>Petitioners also request that the modified language not require bond for any successor appointed pursuant to the modified terms.</p> <p>The Court may require bond or clarification regarding compelling circumstances, and/or authority.</p> <p><u>If bond is required</u>, need estimated value of trust assets.</p>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/O	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 1-5-12	
		Updates:	
		Recommendation:	
		File 17 - Errotabere	

Petition for Appointment of Temporary Guardian of the Person

Age: 13 DOB: 12/17/98	<p align="center"><u>GENERAL HEARING 03/06/12</u></p> <p>YOLANDA GARZA, paternal grandmother, is Petitioner.</p> <p>Father: TOMMY OCHOA</p> <p>Mother: ANGIE MONCANALIS</p> <p>Paternal grandfather: NOT STATED</p> <p>Maternal grandparents: NOT STATED</p> <p>Petitioner states that temporary guardianship is necessary because the parents are unstable.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Temporary Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - Tommy Ochoa (father) - Angie Moncanalis (mother) 3. The UCCJEA is incomplete, need minor's residence information for the past 5 years. 	
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg			x
<input type="checkbox"/> Aff.Mail			
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			x
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<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		Reviewed by: JF	
		Reviewed on: 01/06/12	
		Updates:	
		Recommendation:	
		File 18 - Ochoa	